

ZONING BOARD OF APPEALS

The hearing on Tuesday, January 11, 2011 was called to order by Chairman Harrington at 7:00 PM.

Members present: Harry Kaczmarek also: Joseph Colern, Bldg Inspector
Greg Kalinowski Phyllis Todoro, Town Attorney
Michael Komorek
Robert Schafer
Donald Trzepacz
Alfred Harrington, Chairman

After Roll Call, the Clerk read the Notice of Public Hearing for Appeals Case #1187 for Bryan Young and Young Development Inc, 2240 Southwestern Blvd, West Seneca, who was granted a continuance at the meeting of December 14, 2010.

In the matter of Appeals Case #1187 Bryan Young from Young Development Inc and Lowell Dewey from C&S Engineers Inc were present for this project. Mr. Young began the discussion stating that he has been before the Planning Board and Zoning Board and that they are before the Zoning Board for five variances this evening. The first variance is 144-36 B multiple dwellings require two off street parking spaces per unit (96), 56 are provided (3 of which are handicap). Since the last meeting Mr. Young went into Orchard Park and other areas to view other senior housing. There has been additional land acquired for a retention pond and the drawing has been revised. Lowell Dewey spoke about the parking spaces fitting the site. Mr. Schafer asked if there is an age limit for the senior building. Mr. Young advised that it is 55 or older and the average age is 72. Attorney Todoro asked Mr. Young if there is additional parking that can be added near the drainage area. Mr. Young advised that he does not think it will be necessary. The parking spaces work with the number of units in the building. No one spoke in favor of the project but Diane Rohl, 90 Dellwood Dr., spoke against this project.

Mr. Komorek made the motion: In Appeals Case #1187 for Bryan Young and Young Development Inc, 2240 Southwestern Blvd, West Seneca, for 2460 Bowen Rd, Elma, I move the variance be granted for 144-36 B for 56 parking spaces as per sketches submitted and provided all Elma Town Codes and Ordinances are met. Seconded by Mr. Schafer. Poll vote – 5 ayes. Motion carried.

The second variance is 144-85 B & D Building footprint if larger than 10,000 sq ft requires a Special Use Permit (proposed is 23,074 sq ft). Bryan Young went over the footprint of his building and what our code calls for. He is proposing a building footprint of 23,074 sq ft with a total of 45,962 for the second floor. The permitted uses which will allow senior housing in the overlay district is variance 144-85 D.

The third variance is 144-42 A reducing the parking size by 2 feet, instead of 9x20 (180 sq ft) it would be 9x18 (162 sq ft). Bryan Young stated that a 9x18 parking space is typical for a parking space.

The fourth variance is 144-93.9B (2) building setback calls for no less than 5 but less than 10.

The fifth variance is 144-93.9G (7) signage no free standing signs. Bryan Young spoke about moving the sign back off the right away.

Mr. Kaczmarek had a question regarding the parking. In the future if there is not enough room for parking is there a back up plan. Bryan Young stated they would look at the property and do a different design. Last thing they would want is to inconvenience the tenants.

No one spoke for the project. Those against the project: Todd Meyers, 2150 Bullis Road and Diane Rohl, 90 Dellwood Drive.

Mr. Komorek made the motion: In Appeals Case #1187 for Bryan Young and Young Development Inc, 2240 Southwestern Blvd, West Seneca, for 2460 Bowen Rd, Elma, I move the variances be granted for

- 144-36 B for 56 parking spaces as per sketches submitted and to include the amendment of the additional parking if needed be added in the future.

- 144-85 B & D building footprint of 23,074 ft be approved with special use permit
- 144-42 A parking space size be approved at 9x18 ft
- 144-93.9B (2) front setback be approved at 42 ft as per sketches submitted
- 144-93.9G (7) sign be 6 ft x 6 ft free standing be allotted per sketches submitted and the sign needs to be out of the right away

Seconded by Mr. Schafer. Poll vote – 5 ayes. Motion carried

The minutes of the last meeting of December 14, 2010 were approved as submitted.

There were no communications at this time.

There being no further business, the meeting was adjourned at 8:10 PM.

Respectfully submitted,

Kerry A. Galuski
Secretary-Clerk